

CITY OF WINCHESTER
BOARD OF PUBLIC WORKS AND SAFETY
MEETING MINUTES
MONDAY, NOVEMBER 19, 2013

Regular meeting @ 8:00 a.m.
Council Chambers / City Hall / 113 E. Washington St.

Pledge – Mayor Croyle
Prayer – Mayor Croyle

Mayor Croyle called the meeting to order and presided over the meeting. Clerk-Treasurer, Vicki Haney, recorded the minutes.

The Clerk-Treasurer's roll call showed three Board of Public Works and Safety members present.

Mayor Steve Croyle
Councilor Todd Schroeder
Mr. Richard Gough

Additional Officials Present:

Meeks Cockerill, City Attorney; Chris Martin, Wastewater Utility Superintendent; Frank Lowrance, Street Department Superintendent; and Mike Hummel, Police Officer.

Citizens Present:

Jan Blansett, Elizabeth Blansett, Joe Brown, Matthew Pierce (Hannum, Wagle, & Cline), Jeff Brenton (arrived at 8:30 am)

Approval of the Minutes

Mr. Gough moved to approve the minutes of the November 5, 2013 meeting. Councilor Schroeder seconded. Motion passed 3-0.

429 S. West Street Sewer Issues

Jan Blansett, owner of the property located at 429 S. West Street, reported that sewer problems have been ongoing for a few months. In 1977 the lot was split into two parcels at the Recorder's Office. A garage was built and a tree was planted over the existing sewer line. A mobile home was positioned on Mrs. Blansett's parcel in 1998. The tap in was approved and an additional cleanout was installed. Mrs. Jan Blansett and her mother are both on the same sewage line but pay separate sewage bills. One tree has been cut down to try to resolve the problem. The property has been eeled many times. Mrs. Blansett would like some direction to know what to do next. Mayor Croyle stated the City did not install the lateral that runs through this property, so no easement is available. The City, in turn, has no control over any part of the lateral, or anything that could be obstructing the lateral. The City is only responsible for the main. Mayor Fowler violated the City's Sewer Use Ordinance when he allowed Mrs. Blansett to tap into her mother's lateral. Copper sulfate will kill the tree roots in the sewer line. Mrs. Liz Blansett stated she has never had problems with any of her neighbors. The tree was cut down because of issues other than the sewer lateral. Mayor Croyle asked what Mrs. Blansett wants the City to do to remedy this situation. At one time, the City eeled lines for citizens, but in 2000 the City stopped doing this. The City has an ordinance (51.07) that states the sewer lines are to be maintained as to not create a public health hazard. Attorney Cockerill stated this is a private matter and not a City matter; a judge

would determine who is responsible for the repairs to the lateral. Superintendent Martin stated the main was televised and no issues were found. The neighbors will receive a copy of the video. Mayor Croyle stated Mrs. Blansett has an issue with her neighbor; and she needs to notify the neighbor of the issue. It is not the City's responsibility to notify citizens when their neighbors have issue with them. If the sewer breaks down, the Board of Health will be involved. Ms. Blansett was advised once the issue happens again; contact Dave Harris at the Randolph County Board of Health. Keith Pugh, Randolph County Building Commissioner, should have information about the area and the garage on the property. The sewer system is being upgraded continually.

Headworks Project

Matthew Pierce, Hannum Wagle and Cline Engineers (HWC), announced the Headworks Project at the Waste Water Treatment Plant is finally complete. The only item left to complete is the final paperwork. Two pay applications have been outstanding for many months now (since April, pay application number 6, and May, pay application number 7). The total amount to be paid, including retainage amounts, is Thirty Two Thousand Five Hundred Eighty Three Dollars and Eighty Cents (\$32,583.80). The City has discussed before if liquated damages should be pursued, but it may be difficult to get a judgment because the facility was useable during the process. Attorney Cockerill and Mayor Croyle want to pay the claims and be done with the company. The final completion was delayed months, but only small items were to be addressed. Mr. Pierce spoke to a representative from R. E. Crosby, and the substantial completion date was in January of this year; it was extended to May so items could be completed. May 1, 2014 will be the new substantial completion date. Mayor Croyle does not have any issue with the warranty, he just does not want to deal with the company any more. Mr. Gough asked if R.E. Crosby agreed that the warranty expires on May 1, 2014; Mr. Pierce stated they did agree to it and all paperwork has been completed. The only exclusion is any repairs required by operating inappropriately. The warranty is only as good as the people it is being serviced by. Two pay applications were presented: Pay Application Number Six is for the amount of Four Thousand Dollars (\$4,000.00), and Pay Application Number Seven is for the amount of Twenty Eight Thousand Five Hundred Eighty Three Dollars and Eighty Cents (\$28,583.80). Mayor Croyle stated this will complete the City's association with R.E. Crosby. Councilor Schroeder moved to approve both pay application number six and pay application number seven. Mr. Gough seconded. Motion passed 3-0.

Indiana Department of Environmental Management (IDEM) Permits

The drying beds project is continuing. The new beds will mirror the existing beds. Permits will be submitted in early December. The City is currently discussing discharge limits with IDEM. One branch of IDEM sets the discharge limits and issues the permits, and the other branch of IDEM approves any construction along the way. Over the years, the City has developed a "diluted system" where the sewage is not as strong as a typical community. The discharge limits were set to higher capacity because of the diluted system; but no construction took place so no more capacity was granted. This is not a frequent problem with cities, but it does happen. Hannum, Wagle, and Cline is trying to bridge the gap between the two branches of IDEM and show the calculations for the discharge limits. The plant was originally designed to handle 1.32 million gallons of waste per day; now the capacity is at 2.2 million gallons per day. IDEM can deny a "heavy user" the ability to connect to the City's collection system until the permit capacity is corrected. It is vital to the economic development interests to get the capacity as high as possible. Mayor Croyle stated when the City applies for the new sewer use permit, the levels for phosphorus will be reduced. More solids need to be removed from the system to lower the phosphorus levels.

518 E. North Street

Mr. Jeff Brenton, stated he currently has four rental properties located in Winchester and he is looking to purchase two more properties to make into rental houses. Mr. Brenton explained he purchased property at the Randolph County Certificate sale this year, which he has never done before, and he made an error. He did not follow the procedure correctly. Mr. Brenton has to wait another two years for the property to go through tax sale again. Mr. Brenton asked if the City would be willing to work with him on releasing the liens currently on the property. His goal is to have both portions of the duplex rented by next summer. The debt is forgiven at a certificate sale, but because it was not taken care of properly the debt still remains. Councilor Schroeder moved to forgive Four Thousand Eight Hundred Thirty One Dollars and Twenty Five Cents (\$4,831.25) in sewage, refuse, and mowing liens. The County Recorder adds additional fees to each lien that is released, which could be Six Hundred Dollars (\$600.00). The City will probably not receive the money from the liens anyway. Mr. Brenton stated one unit will be available to rent within six months, the other until will be available to rent within one year. Mayor Croyle stated Mr. Brenton needs to file a sewage affidavit for this property. Mr. Gough seconded. Motion passed 3-0. Mr. Brenton will take care of all other expenses associated with the property.

Habitat for Humanity

Mayor Croyle reported the Richmond and Winchester Habitat for Humanity branches are merging. The property located at 802 N. Main Street has been acquired by Habitat for Humanity and liens have been accumulating on the property. Habitat for Humanity has asked for forgiveness of these liens. The liens follow the property no matter who owns it. No liens are ever forgiven during a purchase or transfer of deed. Mayor Croyle wants to know the history of the property before any action is taken. Clerk-Treasurer Haney stated the City of Winchester has not filed any liens on the property since Habitat for Humanity became the owner of the property. The current charges for mowing liens is Four Hundred Thirty Five Dollars (\$435.00) filed on June 11, 2013. These charges would have been the responsibility of the previous owner, Bank of New York. A discussion was held about the liens. The amount of sewage, refuse and mowing liens currently owed on the property is Seven Hundred Forty Dollars and Forty Seven Cents (\$740.47). Habitat for Humanity needs to contact the Bank of New York (who formerly owned the property) for the payment of these liens.

2014 Budget

Superintendent Martin presented the 2014 budget for the Waste Water Utility. The debt for the sewage bond payments are reduced by approximately One Hundred Sixty Thousand Dollars (\$160,000.00). The principal payment for the USDA (United States Department of Agriculture) Sewage Bonds begins in 2014. The State Highway 32 East Project and employee's salaries were both increased. The 2014 budget is decreased Three Thousand Nine Hundred Dollars (\$3,900.00). Mr. Gough moved to approve the 2014 Budget as presented. Councilor Schroeder seconded. Motion passed 3-0.

Accounts Payable Vouchers

Clerk-Treasurer Haney presented the accounts payable vouchers for the end of October totaling Three Hundred Ninety Five Dollars and Nineteen Cents (\$395.19). November 1 through November 13 accounts payable vouchers totaled Thirty Six Thousand Five Hundred One Dollars and Forty Three Cents (\$36,501.43). The Payroll accounts payable vouchers totaled Twenty Four Thousand Seven Hundred Eighty Two Dollars and Eighty One Cents (\$24,782.81). The total of all accounts payable vouchers is Sixty One Thousand Six Hundred Seventy Nine Dollars and Forty Three Cents (\$61,679.43). Mr. Gough moved to approve the accounts payable vouchers. Councilor Schroeder seconded. Motion passed 3-0.

The annual Rural Development Statement Of Budget, Income and Equity Report are being prepared and will be submitted to the USDA. The Sewage Works Revenue Refunding Bonds of 2003 were retired this year.

Mayor's Report

Mayor Croyle stated he would like to convert his administrative assistant's office into a small meeting room where the Board of Public Works and Safety Meetings, among others, could be held. Mayor Croyle no longer has an administrative assistant. A budget will be presented for this project. He would like to put in smart boards and other items that can be used during meetings.

Since the City as started the Sidewalk Project approximately 8,000 feet of new sidewalk has been installed in Winchester.

StarBurst Technology

StarBurst Technology is no longer in business.

Adjournment

There being no further matters to discuss, Councilor Schroeder moved to adjourn. Mr. Gough seconded. Motion passed 3-0. The November 19, 2013 meeting was adjourned at 9:07 am.

Mayor, Steve Croyle

ATTEST: _____
Clerk-Treasurer, Vicki Haney